

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 25, 2005

D045115 In re Tommy A., a Juvenile

The restitution order is affirmed. Nares, J.; We Concur: McConnell, P.J., Irion, J.

D045637 People v. Siler

Because we hold both the search and the preceding detention were reasonable, the court did not err in refusing to suppress the evidence of possession of the knife. Nares, J.; We Concur: Haller, J., McIntyre, J.

D045842 In re Adam L., a Juvenile

The judgments are affirmed. The stay is vacated. Benke, Acting P.J.; We Concur: Aaron, J., Irion, J.

D044991 In re Michelle C., a Juvenile

D045491 In re Maria F. on Habeas Corpus

(consolidated) It is ordered that the majority opinion filed herein on June 23, 2005, is modified. No change in judgment.

D046272 In re the Marriage of Brown and Rogers

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.

D046767 Amari G. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition for writ of mandate In re Amari G., D046767, will be considered at the same time as the pending appeal In re Amari G. D045978.

D046567 In re Marshall on Habeas Corpus

The petition is denied as moot.

D046514 Teledyne Ryan Aeronautical v. Workers' Compensation Appeals Board/Janka

The petition is denied.

D046601 In re Harris on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 26, 2005

D046280 In re Serena B., a Juvenile

The appeal is dismissed. O'Rourke, J.; We Concur: McDonald, Acting P.J., Aaron, J.

D046238 In re J.K., a Juvenile

The appeal is dismissed. Haller, J.; We Concur: McConnell, P.J., O'Rourke, J.

D044533 People v. Chrisman

The judgment is affirmed. Irion, J.; We Concur: McConnell, P.J., Nares, J.

D045543 People v. Bruce

The Judgment is affirmed. Irion, J.; We Concur: Haller, Acting P.J., McDonald, J.

**D045176 Annuityzone.Com, Inc. v. Independent Advantage Financial & Insurance Services
et al.**

The order appealed from is affirmed. Irion, J.; We Concur: McConnell, P.J., Aaron, J.

D044685 People v. Cano

The judgment is affirmed. Nares, Acting P.J.; We Concur: Haller, J., McIntyre, J.

D046565 In re Carrizosa on Habeas Corpus

The petition is denied.

D046830 Kheyre v. Superior Court of San Diego County/The People

Let a peremptory writ of mandate issue directing the superior court to vacate its July 19, 2005 order, and enter an order suspending criminal proceedings in case No. SCE249410 until the question of Kheyre's present mental competence is determined. The stay issued by this court on July 20, 2005, is vacated. This opinion is made final immediately as to this court. (Cal. Rules of Court, rule 24(b)(3)). McConnell, P.J.; We Concur: Nares, J., Aaron, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 27, 2005

D046651 Armas v. Matarazzo et al.

The letter briefs filed by respondents Ralph Matarazzo, Lucinda Matarazzo and real party in interest San Ysidro School District in response to this court's order dated June 23, 2005, have been read and considered by Presiding Justice McConnell and Associate Justices McDonald and McIntyre. Appellant did not file a letter brief. The appeal filed on June 17, 2005, is dismissed.

D044306 People v. O'Brien

The judgment of the trial court is affirmed. Aaron, J.; We Concur: McConnell, P.J., Nares, J.

D044860 Schwab et al. v. First State Insurance Company

The petition for rehearing is denied.

D046648 Jean B. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Jean B. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 38.1 will not be filed as there are no viable issues for writ review. The case is dismissed.

D046679 Athena V. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Athena V. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 38.1 will not be filed as there are no viable issues for writ review. The case is dismissed.

D046663 Tempi S. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Tempi S. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 38.1 will not be filed. The case is dismissed.

D046859 Pyburn v. Superior Court of San Diego County/The People

The petition is denied.

D046847 In re Edward W. et al., Juveniles

The notice of appeal filed July 19, 2005, from the April 20, 2005 hearing date is untimely. The case is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 28, 2005

D045620 In re Ariana M., a Juvenile

The judgment is affirmed. Nares, J.; We Concur: McConnell, P.J., Haller, J.

D043914 In re Gagnon on Habeas Corpus

The petition is denied.

D046054 Andres B. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The petition is denied. The stay is vacated. McDonald, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

D045167 In re Brittney C., a Juvenile

The judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J., Haller, J.

D043841 People v. Tapia

The judgment is affirmed. Nares, Acting P.J.; We Concur: McIntyre, J., Irion, J.

D046867 Phillips v. Superior Court of San Diego County/Glenn

The hearing scheduled for July 28, 2005 at 1:45 p.m. is stayed pending further order of this court. Real party in interest is directed to file an informal response to the petition on or before August 4, 2005.

D046829 Interinsurance Exchange of the Automobile Club v. Superior Court of San Diego County/Beckwith

The petition is denied.

D046633 Walker v. Superior Court of Imperial County/People

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
July 29, 2005

D045977 In re Leset G., a Juvenile

The judgment is affirmed. McIntyre, J.; We Concur: Benke, Acting P.J., Haller, J.

D044547 Permenter et al. v. Circuit City Stores, Inc.

Appellant Circuit City Stores, Inc. has advised the court that the Department of Labor Standards Enforcement conducted an evidentiary hearing and dismissed respondent Eric Permenter's claims. In light of this circumstance the case is now moot and Circuit City has no objection to dismissal of its appeal. Appeal dismissed.

D046843 People v. Taylor

The petition for transfer is denied.

D046120 In re O.S., a Juvenile

The judgment is affirmed. McDonald, J.; We Concur: Haller, Acting P.J., O'Rourke, J.

D044471 Majorossy-Lott et al. v. Allstate Insurance Company

The summary judgment in favor of Allstate is reversed, as is the summary adjudication in favor of Allstate on the Lotts' claim for breach of contract. The summary adjudication in favor of Allstate on the Lotts' remaining claims for breach of implied covenant, fraud and punitive damages is affirmed. The protective order is affirmed. Allstate and the Lotts shall each bear their own costs of appeal. McIntyre, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D045302 In re James S., a Juvenile

The motion to strike is denied. The judgments and order are affirmed. McIntyre, J. We Concur: Haller, Acting P.J., O'Rourke, J.

D046840 Salerni v. Superior Court of San Diego County/Bennett

The petition is denied.

D046867 Phillips v. Superior Court of San Diego County/Glenn

The automatic stay provided in Code of Civil Procedure section 917.7 remains in effect and the trial court shall not issue any custody or visitation order permitting the minor child to be removed from the State of California until further order of this court.